



Senate

General Assembly

January Session, 2015

File No. 343

Senate Bill No. 1013

Senate, March 31, 2015

The Committee on Public Safety and Security reported through SEN. LARSON of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING CAMPUS SAFETY AND SECURITY AT MANCHESTER COMMUNITY COLLEGE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10a-156b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) There are established special police forces for The University of
4 Connecticut at Storrs and its several campuses, including The
5 University of Connecticut Health Center in Farmington, and for
6 Central Connecticut State University in New Britain, Southern
7 Connecticut State University in New Haven, Eastern Connecticut State
8 University in Willimantic, [and] Western Connecticut State University
9 in Danbury, and Manchester Community College in Manchester. The
10 members of each special police force shall have the same duties,
11 responsibilities and authority under sections 7-281, 14-8, 54-1f and 54-
12 33a and title 53a as members of a duly organized local police
13 department. The jurisdiction of said special police forces shall extend
14 to the geographical limits of the property owned or under the control

15 of the above institutions, and to property occupied by The University
16 of Connecticut in the town of Mansfield, except as provided in
17 subsection (b) of section 7-277a.

18 (b) Members of the special police forces shall continue to be state
19 employees and shall be subject to the provisions of chapter 67, and
20 parts II and III of this chapter. The provisions of part V of chapter 104
21 and section 7-433c shall not apply to such members.

22 (c) Notwithstanding the provisions of subsection (b) of this section,
23 positions in the special police forces for The University of Connecticut
24 at Storrs and its several campuses and The University of Connecticut
25 Health Center in Farmington shall be unclassified in state service and
26 shall not be subject to the provisions of section 5-206, section 5-208 and
27 subsection (b) of section 5-200a. The positions held by such special
28 police forces shall be within the bargaining unit that represents
29 protective services employees and shall not be severed.

30 (d) The president of The University of Connecticut shall establish
31 classifications for the special police forces positions for The University
32 of Connecticut at Storrs and its several campuses, including The
33 University of Connecticut Health Center in Farmington, using
34 objective job-related criteria, including, but not limited to: (1)
35 Knowledge and skill required to carry out the duties of each position,
36 (2) mental and physical effort required to carry out the duties of each
37 position, and (3) the level of accountability assigned to each position.
38 The president shall establish and administer all necessary
39 examinations for such special police forces.

40 (e) The special police force for any institution listed in subsection (a)
41 of this section shall have access to, and use of, the Connecticut on-line
42 law enforcement communications teleprocessing system without
43 charge.

44 (f) The chief executive officer of any institution listed in subsection
45 (a) of this section which maintains a special police force may enter into
46 an agreement with one or more of said other institutions which

47 maintain a special police force to furnish or receive police assistance
48 under the same conditions and terms specified in subsection (a) of
49 section 7-277a.

50 (g) The state shall protect and save harmless any member of the
51 special police force for any institution listed in subsection (a) of this
52 section from financial loss and expense, including reasonable legal fees
53 and costs, if any, arising out of any claim, demand, suit or judgment by
54 reason of the alleged deprivation by such member of any person's civil
55 rights, which deprivation was not wanton, reckless or malicious,
56 provided such member, at the time of such acts resulting in such
57 alleged deprivation, was acting in the discharge of such member's
58 duties or within the scope of such member's employment or under the
59 direction of a superior officer.

60 (h) Reasonable legal fees and costs incurred as a result of the
61 retention, by any member of the special police force for any institution
62 listed in subsection (a) of this section, of an attorney to represent such
63 member's interests in any action referred to in subsection (g) of this
64 section shall be borne by the state in those cases in which (1) such
65 member is ultimately found not to have acted in a wanton, reckless or
66 malicious manner, or (2) no punitive damages are ultimately assessed
67 against such member.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	10a-156b

PS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill results in no fiscal impact to the state as the officers at Manchester Community College are already sworn officers.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 1013*****AN ACT CONCERNING CAMPUS SAFETY AND SECURITY AT MANCHESTER COMMUNITY COLLEGE.*****SUMMARY:**

This bill establishes a special police force at Manchester Community College (MCC), generally subject to the same terms that govern existing special police forces at UConn and the Connecticut State University system.

Members of these special forces have the same duties, responsibilities, and authority within their jurisdiction as local police to (1) execute criminal process, (2) issue citations for motor vehicle violations, (3) arrest without warrant and pursue violators out of their jurisdiction to effect arrests, (4) request search warrants, and (5) enforce the penal code. Their jurisdiction is the geographical limits of the property owned or under the control of the institutions.

Under the bill, MCC special police, just like the other institutions' special police, continue to be state employees subject to the State Personnel Act, which governs the state's classified service and requires agencies to use merit principles in hiring and employment. They are also subject to certain provisions (parts II and III of Chapter 185b) that apply exclusively to CSU and UConn under existing law. Some examples are appointment of trustees and recruitment of faculty, which may not be applicable to the MCC special police force. Thus, the legal effect of this provision is unclear.

EFFECTIVE DATE: October 1, 2015

BACKGROUND***Law Enforcement Communications***

The institutions' special police forces have free access to the Connecticut on-line law enforcement communications teleprocessing system (COLLECT), which is operated by the State Police and provides criminal history record information to law enforcement agencies.

Mutual Aid Agreements

By law, the institutions may enter into mutual aid agreements with each other to give and receive police assistance on the same terms as municipalities. The law requires the municipality requesting assistance under a mutual aid agreement to reimburse the responding municipality, unless the provider grants a written waiver. Police officers providing assistance have the same powers, duties, privileges, and immunities as those conferred on police officers from the municipality requesting assistance.

Liability Issues

The state must hold harmless members of the special police forces from financial loss and expenses arising out of any claim, demand, suit or judgment by reason of the alleged deprivation by such member of any person's civil rights, provided the action was not wanton, reckless or malicious. The member must have been carrying out his or her duties or acting within the scope of his or her employment or under a superior officer's direction. The state must pay the reasonable legal fees and costs incurred by any special police member ultimately found not to have acted in a wanton, reckless or malicious manner or against whom punitive damages are ultimately assessed.

Policemen and Firemen Survivor's Benefit Fund

The members of the special forces do not participate in the policemen and firemen survivor's benefit fund. Some towns participate by local ordinance in this fund, which the State Retirement Commission administers. Participating officers contribute 1% of their pay to the fund. Benefits are payable on the death of a participant.

Hypertension law

Members of the special forces are not covered by the state's heart

and hypertension act which gives benefits to eligible survivors in lieu of workers' compensation or other municipal or state retirement benefits for the same conditions (CGS § 7-433c).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 17 Nay 6 (03/19/2015)